

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

STEPHANIE L. PICKERING and TERRY A. O'KEEFE,

## Plaintiffs,

V.

BANK OF AMERICA HOME LOANS;  
BANK OF AMERICA, N.A.; QUALITY  
LOAN SERVICING CORP. WASHINGTON;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEM (“MERS”); and  
DOES 1-10, Inclusively.

## Defendants.

Case No. C15-1983 RSM

ORDER GRANTING DEFENDANT  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEM, INC.'S  
MOTION TO DISMISS PLAINTIFFS'  
SECOND AMENDED COMPLAINT  
FOR VIOLATION OF REAL ESTATE  
SETTLEMENT PROCEDURES ACT  
(RESPA) 12 CFR 1024.41

THIS MATTER having come before the Court upon the filing of Defendant Mortgage Electronic Registration Systems Inc.'s Motion to Dismiss Plaintiffs' Second Amended Complaint for Violation of Real Estate Settlement Procedures Act (RESPA) 12 CFR 1024.41 (the "Motion") pursuant to Federal Rule of Civil Procedure 12(b)(6); all parties having been given notice and an opportunity to respond; the Court having reviewed all pleadings filed by all parties relating to the Motion; and the Court having reviewed the records and files herein, it is hereby:

ORDERED that Defendant Mortgage Electronic Registration Systems Inc.'s Motion is

ORDER GRANTING DEFENDANT  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEM, INC.'S MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED  
COMPLAINT - 1



## WITHERSPOON-KELLEY

## Attorneys & Counselors

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1 GRANTED; and it is  
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3 FURTHER ORDERED that the claims of Plaintiffs Stephanie Pickering and Terry A.  
4 O'Keefe are dismissed in their entirety, with prejudice, and without leave to amend, as to  
5 Defendant Mortgage Electronic Registration Systems Inc.  
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7 DATED this 13<sup>th</sup> day of April 2018.  
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10 RICARDO S. MARTINEZ  
11 CHIEF UNITED STATES DISTRICT JUDGE  
12

13 *Presented by:*  
14

15 WITHERSPOON · KELLEY  
16

17 s/Michael J. Kapaun  
18 Michael J. Kapaun, WSBA # 36864  
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20 *Attorneys for Defendant Mortgage Electronic  
21 Registration Systems, Inc. (erroneously sued as  
22 "Mortgage Electronic Registration Systems")*  
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ORDER GRANTING DEFENDANT  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEM, INC.'S MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED  
COMPLAINT - 2

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